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AUSTIN, Tex., Feb. 3 (AP)—Melvin Belli, San Francisco attorney who defended Jack Ruby at his Dallas murder trial, has received permission to file briefs in Ruby's appeal to the Texas Court of Criminal Appeals.

However court officials indicate Belli will not be allowed to take part in the March 10 oral arguments because he no longer is an attorney in the case. Ruby's family took Belli off the case after the trial.

Ruby was assessed the death penalty for shooting presidential assassin Lee Harvey Oswald Nov. 24, 1963.

Phil Burleson of Dallas and Joe Tonahill of Jasper are the attorneys of record in the case before the appeals court, the court clerk said.

Ruby's sister, Mrs. Eva Grant, said yesterday she will ask the high court to bar Tonahill from the appeal, Tonahill says he will argue the case.

Belli was told in a letter that the court would like to have his "friend of the court" brief a week before the hearing.

The letter grants a written request by Belli to file a brief, but states "the filing of this brief will not entitle you to make an appearance or participate in oral argument before this court."

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